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Joint written statement* submitted by the International Organization for the Elimination of All Forms of Racial Discrimination, the Arab Lawyers Union, the Arab Organization for Human Rights, International-Lawyers.Org, IUS PRIMI VIRI International Association and the Union of Arab Jurists, non-governmental organizations in special consultative status, and International Educational Development, Inc. and the World Peace Council, non-governmental organizations on the roster

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

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* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Exploitation and Control of Palestinian Natural Resources as Tools of Israeli Domination*

Numerous UN resolutions reaffirm permanent sovereignty by the Palestinian people over their natural resources, including land, water and energy resources, which is an essential element in the right of self-determination. However, Palestinian sovereignty is undermined by Israel's exploitation, damage and depletion of their natural resources, destruction of agricultural lands and orchards, as well as, destruction, forced diversion or seizure of vital infrastructure such as water, sewage and electricity systems, and dumping of waste materials. Such activities exacerbate the already critical socioeconomic and human rights situation of Palestinians.

From 1967 onward, Israel introduced a number of military orders and regulations to impose its control over the region's natural resources and to integrate the water system of the Occupied Palestinian Territories (OPT) into the Israeli system, thereby denying Palestinians control over this vital resource1. The Oslo Accords preserved Israel's exclusive control over the water resources of the OPT. They created the Joint Water Committee (JWC), whose decisions on sewage and water-related infrastructure and projects in the West Bank are subject to the approval by the Israeli army. The army regularly rejects or delays Palestinian permit applications, and interrupts or blocks projects for extended periods on the basis of "security concerns"2.

Discriminatory Water Supply

Israel's discriminatory distribution of shared water sources results in severe water shortages for Palestinians3. With West Bank governorates being unable to supply sufficient amounts of portable water, many Palestinians are forced to purchase costly water from the Israeli Water Company (Mekorot), which draws on Palestinians' share of water sources. Palestinians often witness acute and months-long water shortages, especially during summertime, when Israel implements a rigorous policy of water cuts to supply illegal Israeli settlements. The water crisis hits Palestinians living in remote areas the hardest as they are dependent on poor access roads or have to afford high costs for delivery. As an estimated 180 residential areas in Area C are not connected to a water network, they have to afford enormous costs to purchase water.

Palestinian water consumption in the West Bank is limited to an average of only around 70 liters per capita per day, below the minimum standard of 100 liters per day recommended by the World Health Organization (WHO), and far below the 240-300 litres per day in Israel. Israeli per capita consumption of water for domestic use is therefore about four times higher than that of the Palestinian population of the OPT. West Bank settlers consume about six times the amount of water used by Palestinians4. 20,000 Palestinians in 79 Area C communities had an average water consumption of less than 30 litres per capita per day. Water scarcity is a further factor forcing Palestinians into displacement.5

In Gaza, more than 96 percent of water extracted from the aquifer is unsafe for human consumption. The damage, which is expected to be irreversible, is largely due to over-extraction and raw sewage and seawater. Chloride and nitrate

1 As they do not follow territorial boundaries, the three main sources of natural fresh water in the region have to be shared by Israel and Palestine in accordance with the principle of equitable and reasonable utilization enshrined in international law. However, this vital natural resource is not freely accessible for Palestinians but controlled and exploited by the Occupying Power.

2 For instance, Israel consistently prevents Palestinians from building production wells in the large Western basin.

3 In September 2012, the Palestinian Water Authority published a report revealing that Israel exploits 90 percent of the shared water resources in the West Bank for exclusive Israeli use, including use in settlements, and allocates less than 10 percent for Palestinian use.

4 Sometimes, the discrepancy is even higher. While the Dead Sea settlements of "Mitzpe Shalem" and "Qalya" consume around 700 litres per capita daily, the neighbouring Palestinian village of Al-Jiftlik could only access 66 litres per capita per day and the Palestinian villages of Al-Nuwei'ma and Al-Hadidiya were at humanitarian crisis levels with 24 and 22 litres per capita per day, respectively. (A/68/35), https://www.ochaopt.org/content/monthly-overview-july-2016

5 https://www.ochaopt.org/content/monthly-overview-july-2016

levels exceed the levels recommended by the WHO by up to eight times. Over 80 percent of desalinated water that the vast majority of Gazans depend on poses a significant financial burden on the impoverished population. 70 percent of privately produced desalinated water is contaminated, therefore representing a health hazard to the residents.6

Rigid Access Restrictions

The rigid Israeli closure policy and movement restrictions have adverse effects on Palestinian access to water and farming lands. The Separation Wall has been constructed in a way to isolate wells and springs, consequently diminishing Palestinian water supplies and inhibiting the Palestinian Authority's ability to implement development programs and provide water to citizens.

Moreover, Israel has designated about 18 percent of the West Bank as closed military zone or "firing zone". Palestinian residents face demolition of their property and livelihood, are expelled from their homes, or face serious access restrictions to their farming lands. The rigid access restrictions in the "Seam Zone" and in the vicinity of settlements hamper vital agricultural activities such as ploughing, pruning, and fertilizing. Therefore, agricultural productivity and value are severely reduced. The construction of settler roads on Palestinian land, such as the new Nabi Elyas bypass road of 2.5 km, destroy fertile areas of land, uproot trees and cut Palestinians off their property and primary sources of livelihood7.

Palestinian farmers require special permits or consent to access their lands designated as "closed zones" between the Wall and the Green Line. If granted approval, they need to cross gates or checkpoints to reach farming lands. During the 2017 olive harvest, only 54 out of 76 gates opened for few hours each day during the season8.

Shepherds can only pursue their profession with great difficulty and under considerable danger: Encircled by settlements and "military zones", the shepherds cannot graze their flocks freely as they are prohibited from entering vast areas of their land. If they cross Israeli-designated areas of their own land, they can face arrest and heavy fines. The Israeli government has also declared certain plants, traditionally used as herbs for tea and foodstuff, "endangered species", thereby prohibiting Palestinians from collecting them. Such restrictions deeply disturb the traditional means of gaining livelihood of Palestinian farming and herding communities, who are thus deprived of their primary means of subsistence and are often forced into displacement.

Destruction of Natural Resources, Livestock, and Infrastructure

Israeli settlers regularly attack and harass Palestinian farmers, block access to land, and destroy property. The 2017 olive harvest season (mid-September to mid-November) was marked by an increase in settler violence against Palestinian farmers, which entailed vandalizing, uprooting and theft of olive trees; access restrictions to olive groves behind the Separation Wall and near Israeli settlements; and intimidation and physical assault against farmers during the harvest9.

Main water pipes and springs supplying Palestinian villages have been destroyed or appropriated by settlers, who engage in threats and intimidation to deter Palestinians, erect barriers, and often develop the surrounding areas for their personal use. Settlers also target Palestinian livestock and resources by poisoning animals, water sources, and crops. Similarly, soldiers destroy water infrastructure such as cisterns, wells and springs and water tanks, thus forcing Palestinians off their land. Palestinian water, sanitation and hygiene structures in Area C without the Israel-required permit are at constant risk of demolition. Since 2009, demolitions of such structures, especially of wells and cisterns, have soared. In the Gaza Strip, vital infrastructure is targeted during Israeli military operations.

6 https://www.ochaopt.org/content/largest-seawater-desalination-plant-opened-gaza
7 https://www.ochaopt.org/content/new-bypass-road-qalqiliya-area-raises-humanitarian-concerns
8 https://www.ochaopt.org/content/olive-harvest-marked-access-and-protection-concerns
9 https://www.ochaopt.org/content/olive-harvest-marked-access-and-protection-concerns

Israel has converted Palestinian land into "garbage dumps" by allowing settlements to discharge untreated waste water onto Palestinian valleys and agricultural land. The settlement of Ari'el in the governorate of Salfit discharged its waste water into Wadi al Matwi, thereby preventing Palestinian farmers from cultivating their irrigated land in the region and thus depriving them of their source of income.

Companies Operating in Israeli Settlements

Approximately 190 companies (130 Israeli and 60 international) operate in illegal Israeli settlements in the OPT. The Israeli government provides strong economic incentives, including tax deductions, for companies operating in West Bank settlements.

Agriculture companies continue the exploitation of the occupied lands for their profit, thereby impeding the revival of a once vibrant and strategic independent Palestinian agricultural sector. Israeli agricultural production in the OPT, predominantly in the occupied fertile part of the Jordan Valley and the Dead Sea Area, brings highly profitable produce through land grab and inequitable water allocation – to the detriment of Palestinian farmers. Moreover, Israel markets and exports Palestinian products, from which negligible profits are allocated to the Palestinian economy and workers. Some of the exported products misguidedly carry the label "Made in Israel".

Israel continues mineral extraction and quarrying in the OPT. Of particular concern is the fertile and mineral-rich Dead Sea area, which harbors great potential for economic development. However, Israeli settlements are heavily involved in extracting raw materials for the cosmetic industry10, in fruit harvesting, and packaging of products. Israeli business enterprises in Israeli settlements, such as cosmetics company Ahava Dead Sea Laboratories Ltd., directly profit from the appropriation and exploitation of Palestinian land and natural resources.

Conclusion and Recommendations

The State of Israel, Israeli companies and international companies are sole beneficiaries of the vast majority of the region's natural resources, the Palestinian share of which is being ruthlessly exploited. Palestinians are thus excluded from any meaningful form of utilization of their natural resources. Furthermore, Israel's depletion and overexploitation of natural resources and dumping of garbage and untreated water is extremely detrimental to the environment and represents a health hazard. It goes without saying that Palestinian development and Palestinians' socioeconomic and human rights sustain tremendous damage. Natural resources are thus another tool to dominate and dehumanize Palestinians and to further undermine their prospects for self-determination. Therefore, we recommend to the relevant UN bodies to:

- Pressure Israel to end its policies of illegal appropriation and exploitation of Palestinian natural resources; dismantle the discriminatory land zoning scheme; cease interference with Palestinian property and vital infrastructure; and give Palestinians unhampered access to their natural resources;
- Ensure direct penalties for all companies operating in illegal settlements and compel Israel to withdraw all operating permissions granted to companies in the OPT;
- Pressure Israel to enable the implementation of reconstruction, development, and environmental projects in the OPT, and ensure compensation for sustained losses.

It is clear, however, that the full realization of Palestinians' inalienable rights can only be achieved with the end of Israeli occupation.

10 In 2004, the Israeli government granted the Israeli cosmetic company "Ahava Dead Sea Laboratries Ltd", whose shares owned by the settlements of 'Mitzpe Shalem' and 'Kalia' account for 44.5 percent, permission to extract mud from the occupied Dead Sea area.

*Geneva International Centre for Justice (GICJ), The Arab Lawyers Association-UK, The Brussells Tribunal, Euro-Mediterranean Human Rights Monitor, Association of Humanitarian Lawyers (AHL), The Iraqi Commission for Human Rights (ICHR), Association of Human Rights Defenders in Iraq (AHRD), General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights, International Anti-Occupation Network (IAON), NGO(s) without consultative status, also share the views expressed in this statement.